

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**vs.**

**JAISANKAR MARIMUTHU,**

**Defendant.**

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**CASE NO. 8:07CR30**

**ORDER**

This matter is before the Court on the Defendant's motion for leave to proceed in forma pauperis and appointment of counsel (Filing No. 246).

The Defendant seeks in forma pauperis status and appointed counsel with respect to an anticipated motion he wishes to file under 28 U.S.C. § 2255. These matters are raised prematurely because there is no pending § 2255 motion. If raised in conjunction with the filing of a § 2255 motion, those matters will be addressed at the time the Court conducts a preliminary review of the motion.

**IT IS ORDERED:**

1. The Defendant's motion for leave to proceed in forma pauperis and appointment of counsel (Filing No. 246) is denied; and
2. The Clerk is directed to mail a copy of this order to the Defendant at his last known address.

DATED this 11<sup>th</sup> day of April, 2011.

**BY THE COURT:**

s/Laurie Smith Camp  
United States District Judge